

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP/(954) 797-1101

SUBJECT: Ordinance

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT, TO B-2, COMMUNITY BUSINESS DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ZB 1-4-01 Applicant: C. William Laystrom, Jr., Esq., petitioner/Theodore and Nadine Curcie, owner. 5990 SW 82 Avenue/Generally located at the northeast corner of Stirling Road and SW 82 Avenue.

REPORT IN BRIEF:

The applicant requests to rezone the 9.04 acre subject property as well as the abutting 3.58 acres to the north, from A-1 to B-2 for the construction of an 87,000 square foot retail center, parking, retention, and landscaping. This rezoning would provide a consistent zoning designation with the properties to the north (under consideration for rezoning to B-2) and west (zoned B-2). It would also remain consistent with the Town and County Commercial Land Use Plan Designation for said properties.

PREVIOUS ACTIONS:

Town Council approved the request at the March 21, 2001 meeting (motion carried 5-0).

CONCURRENCES:

The Planning and Zoning Board recommended to approve the request at its March 14, 2001 meeting (motion carried 4-0).

FISCAL IMPACT: None.

RECOMMENDATION(S): Motion to approve.

Attachment(s): Ordinance, Legal Description, Subject Site, Land Use Map, Aerial.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT, TO B-2, COMMUNITY BUSINESS DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed from A-1, Agricultural District, to B-2, Community Business District;

WHEREAS, said notice was given and publication made as required by law, and a public hearing thereunder was held on the date of the adoption of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the property herein after described be and the same is hereby rezoned and changed from A-1, Agricultural District, to B-2, Community Business District:

a. The subject property is described in Exhibit "A", which is attached hereto and made a part hereof.

SECTION 2. That the zoning map heretofore adopted by the Town Council be and the same is hereby amended to show the property described in Section 1, herein, as B-2, Community Business District.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2001.

PASSED ON SECOND READING THIS _____ DAY OF _____, 2001.

ATTEST:

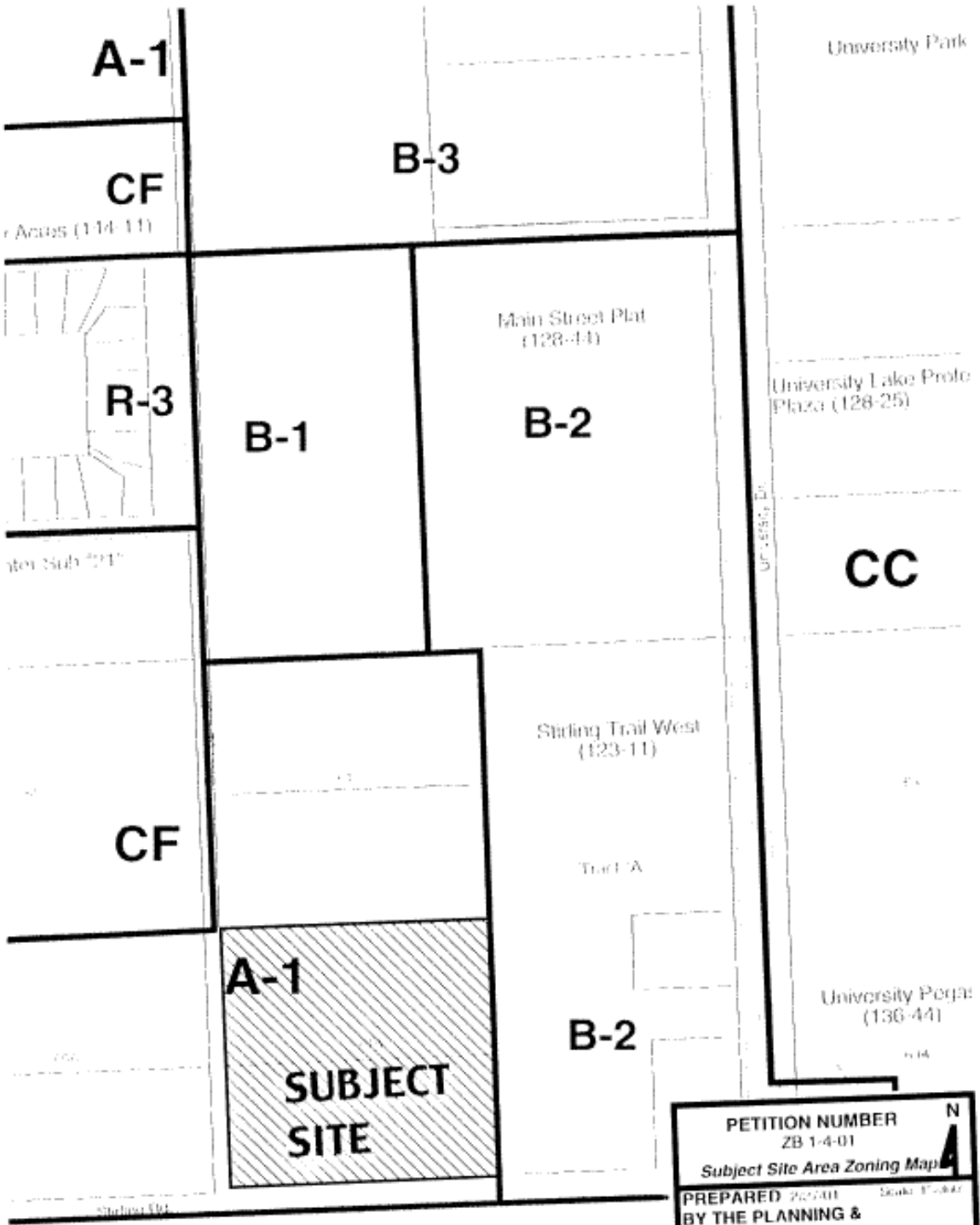
MAYOR/COUNCILMEMBER

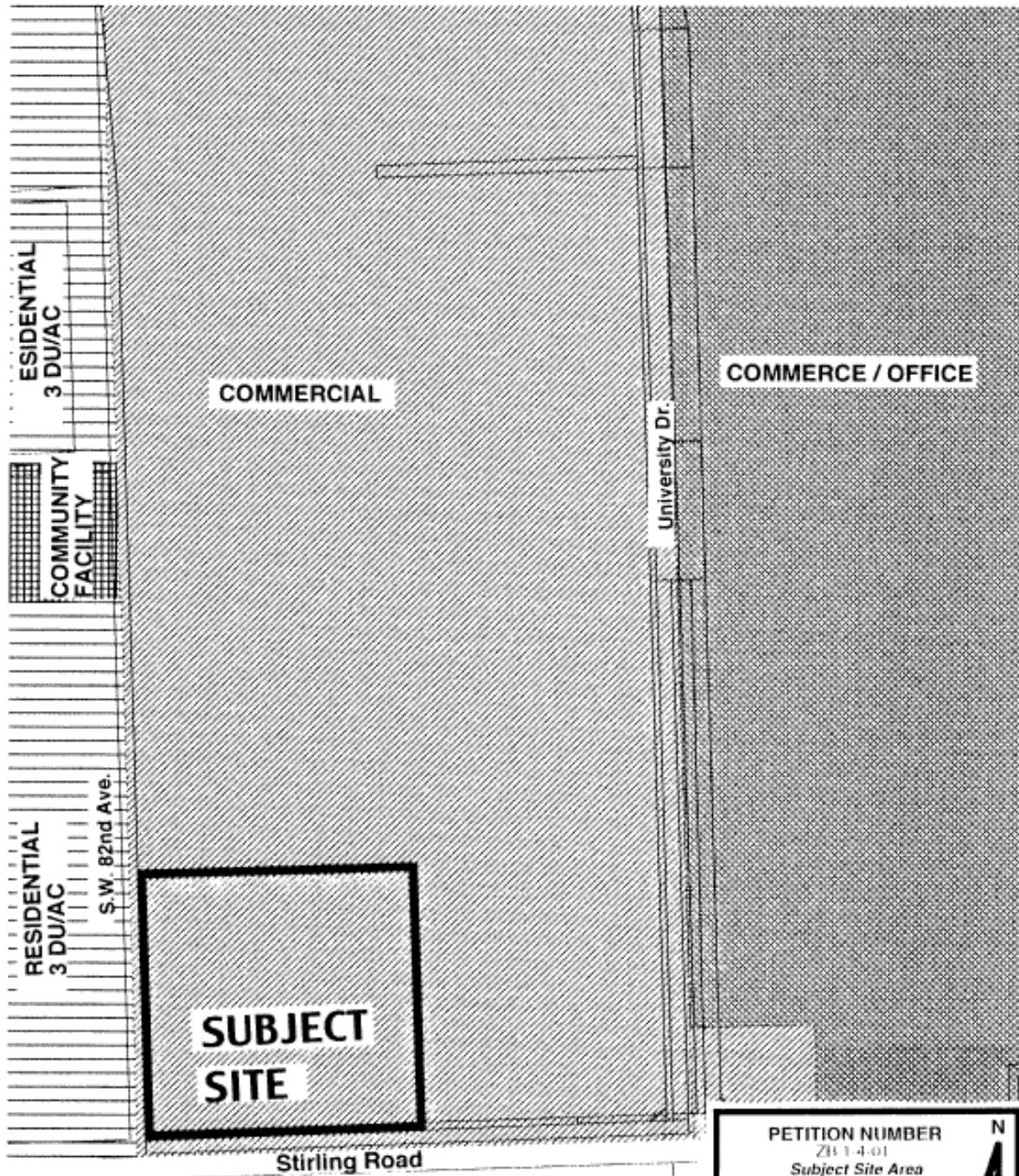
TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.

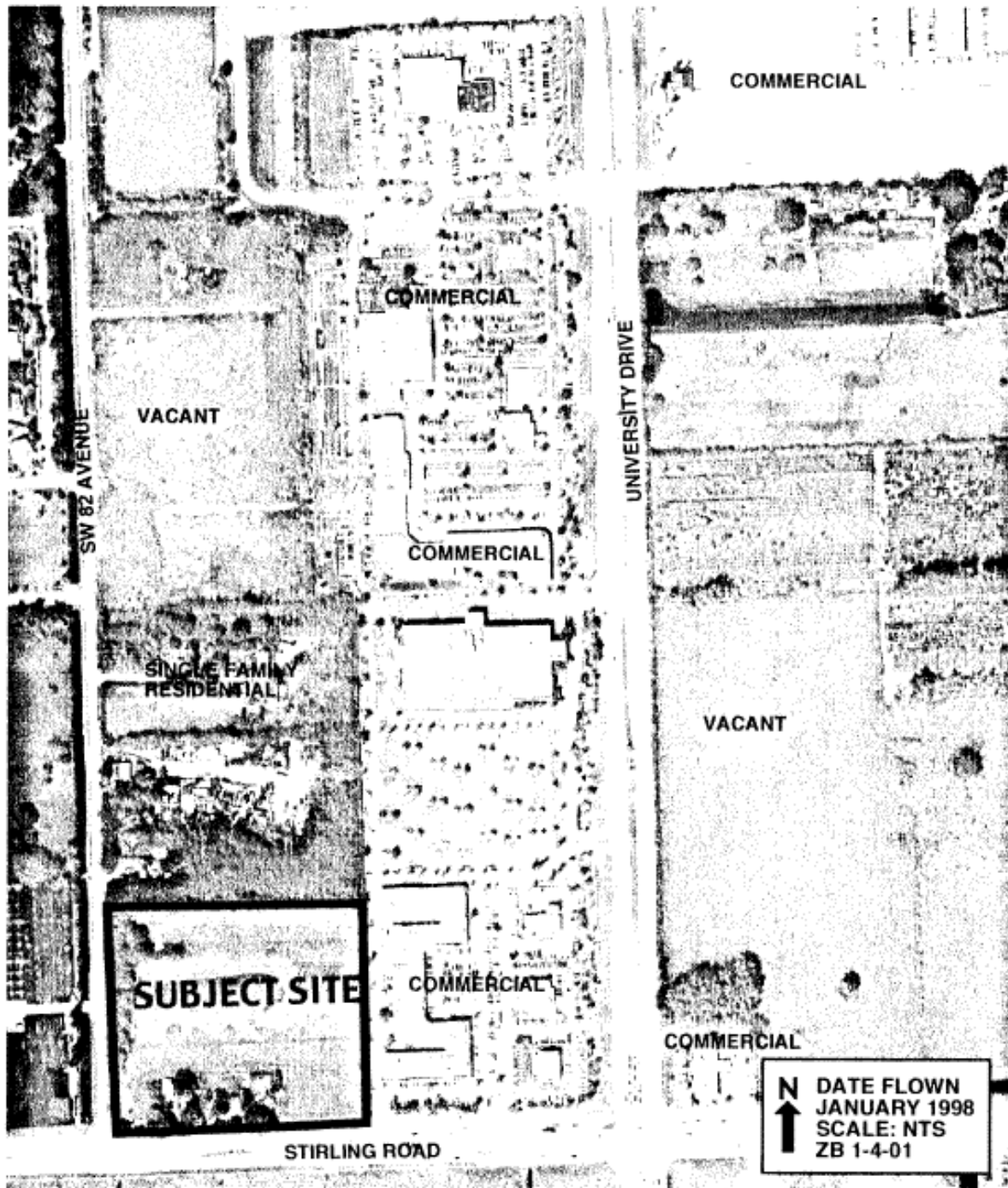


EXHIBIT "A"





PETITION NUMBER
Z/14-01
Subject Site Area
Future Land Use Plan
N
4
PREPARED 2/27/01 BY THE PLANNING & ZONING DIVISION
Scale: 1"=300'



COMMERCIAL

COMMERCIAL

VACANT

UNIVERSITY DRIVE

COMMERCIAL

SINGLE FAMILY
RESIDENTIAL

VACANT

SUBJECT SITE

COMMERCIAL

COMMERCIAL

STIRLING ROAD

N
↑
DATE FLOWN
JANUARY 1998
SCALE: NTS
ZB 1-4-01